IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

Bail Appl..No. 3806 of 2007()

CRIME NO.8/2007 OF ERNAKULAM TOWN SOUTH POLICE STATION

.....

PETITIONER : ACCUSED NO.4

RASHEED S/O.YOUSEPH,
HOUSE NO.C.C.23/2306 B,
NEAR A.K.G. VAYANASALA,
KADABHAGATH, PALLURUTHI,
KOCH-02

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS: COMPALIANANT

STATE OF KERALA, REPRESENTED BY
PUBLC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
REP: BY S.I.OF POLICE, ERNAKULAM TOWN SOUTH
POLICE STATION, ERNAKULAM

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.3806 of 2007

Dated this the 26th day of June 2007

O R D E R

Application for regular bail. The petitioner, along with the co-accused, faces allegations under Sections 406 and 420 I.P.C. The crux of the allegations is that accused 1 to 3 took the defacto complainant to a room in a hotel on the promise that they have in their possession gold biscuits which can be sold at lesser than the market rate. When the defacto complainant reached the room and handed over an amount of Rs.10,00,000/-, the fourth accused, along with other co-accused pretending to be a police officer, reached the scene and took away the gold biscuits and the cash. They went away. The alleged incident took place on 30/12/2006. The matter was reported to the police on 4/1/2007. Investigation is in progress. The petitioner was arrested on 14/5/2007. The petitioner had allegedly purchased a vehicle making use of the ill-gotten money. That vehicle has been seized. The petitioner is continuing in custody from 14/5/2007. Accused 1 to 3 have been arrested. Accused 1 has already been

enlarged on bail.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner who has been continuing in custody from 14/5/2007 can now be enlarged on bail subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays until further orders.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007